(Chief Manager, RSRTC, Udaipur Vs. Devi Singh & ors.)
S.B . CIVIL MISC. APPEAL NO.1466/2007

Date : 25.04.2007

HON'BLE MR. P.B.MAJMUDAR, J.

Mr.L.K.Purohit, for the appellant.

By filing this appeal under Section 173 of the Motor Vehicles Act, 1988, the appellant RSRTC has challenged the judgment and award passed by the Motor Accident Claims Tribunal, Udaipur in MACT Case No. 629/2005 by which Rs.4,31,000/- has been awarded in favour of claimant-respondent as compensation.

Learned counsel for the appellant has submitted that the Tribunal has gravely erred in awarding Rs.50,000/- towards medical expenses.

I have gone through the award of the learned Tribunal and also considered the evidence which was made available by the learned counsel for the appellant for my perusal. In my view, the Tribunal has rightly considered the expenses incurred on medical treatment in view of the evidence on record. The Tribunal has also found that the victim had taken treatment between 11.3.2004 to 24.3.2004 at private hospital at Salumbar and also found that the victim was required to take treatment for

6 months. After considering the aforesaid aspect, the Tribunal has also came to the conclusion that Rs. 50,000/- can be a just and fair compensation towards medical expenses. The Tribunal has considered the documentary evidence in the form of medical bills and certificate of the Doctor regarding injury and ultimately has awarded the aforesaid amount towards medical expenses.

Since the main grievance of the learned counsel for the appellant is in connection with medical expenditure and as indicated above, the Tribunal has given cogent reasons for arriving at the said figure, no interference is called for in this appeal against the award of the Tribunal.

I, therefore, do find any substance in the appeal and the same is hereby dismissed in limine.

(P.B.MAJMUDAR), J.

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